

CERCLA 104(e) INFORMATION REQUEST
URGENT LEGAL MATTER: PROMPT REPLY REQUESTED
VIA CERTIFIED MAIL

Ashland Oil Company

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Re: SBA Shipyard Superfund Site, Jennings, Jefferson Davis Parish, Louisiana;
CERCLIS #: LAD008434185; Information Request Pursuant to
CERCLA Section 104(e), 42 U.S.C. Section 9604(e)

Dear Sir or Madam:

The U.S. Environmental Protection Agency (EPA) is involved in an ongoing investigation of the releases or threatened releases of hazardous substances, pollutants, or contaminants at the SBA Shipyard Superfund Site (Site) located in Jennings, Jefferson Davis Parish, Louisiana. This letter seeks your cooperation in providing information and documents relating to the contamination of the Site. A Superfund site is a site contaminated with high levels of hazardous substances that may present a threat to human health and the environment.

The EPA is seeking to obtain information concerning the generation, storage, treatment, transportation, and disposal methods of hazardous substances, pollutants, or contaminants that have been or threaten to be released from the Site. In addition, EPA will identify activities, materials, and parties that contributed to contamination at the Site. The EPA has information that you may have had a business relationship with SBA Shipyards, Inc., or you may have information with respect to the December 9, 2002, Interim Measures/Removal Action (IM/RA) conducted at the Site and the companies that entered into an agreement to perform the cleanup.

This information request is not a determination that you are responsible or potentially responsible for contamination that occurred at the Site. The EPA is sending you this letter as part of its investigation of the circumstances related to the Site and does not expect you to pay for or perform any site-related activities at this time. Should EPA determine that you are responsible or potentially responsible for response activity at the Site, you will receive a separate letter clearly stating such a determination as well as the basis EPA has for making such a determination.

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 104(e), 42 U.S.C. § 9604(e), gives the EPA the authority to require you to respond to this information request (see Enclosure 1). We encourage you to give this matter its full attention,

and *we respectfully request that you respond to this request for information within thirty (30) days of its receipt of this letter.* You may designate another official with the requisite authority to respond on your behalf. However, failure to respond to this information request may result in the EPA seeking penalties of up to \$37,500.00 per day of violation. In addition, furnishing false, fictitious or fraudulent statements or representations is subject to criminal penalty under 18 U.S.C. § 1001.

Please provide a written response to Mr. Kenneth Talton, Enforcement Officer, at the address included in the Information Request. Please refer to the enclosures below, which include important instructions and definitions, as well as the questions for response, in the preparation of your reply to this Information Request.

If you have any questions regarding this letter, contact Mr. Kenneth Talton at (214) 665-7475. For legal questions concerning this letter, please have your legal counsel contact Ms. I-Jung Chiang, at (214) 665-2160. Thank you for your attention to this matter.

Sincerely yours,

Ben Banipal, P.E.
Associate Director
Technical and Enforcement Branch (SF-T)
Superfund Division

Enclosures: Information Request

ENCLOSURE 1

SBA SHIPYARD SUPERFUND SITE JENNINGS, JEFFERSON DAVIS PARISH, LOUISIANA INFORMATION REQUEST

RESPONSE TO INFORMATION REQUEST

Under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as the federal “Superfund” law, the U.S. Environmental Protection Agency (EPA) responds to the release or threat of release of hazardous substances, pollutants or contaminants into the environment to stop additional contamination and to clean-up or otherwise address any prior contamination.

The EPA is requesting information under CERCLA Section 104(e). Section 104(e) may be found in the United States Code (U.S.C.) at Title 42 Section (section is denoted by the symbol “§”) 9604(e) 42 U.S.C. § 9604(e).

Pursuant to the authority of CERCLA §104(e), you are hereby requested to respond to the enclosed information request. If you have any questions concerning the Site’s history or this information request letter, please contact Mr. Kenneth Talton, the designated Enforcement Officer for the Site, at phone number (214) 665-7475, fax number (214) 665-6660 or via email at talton.chuck@epa.gov. Please mail your response within 30 calendar days of your receipt of this request to the following address:

Mr. Kenneth Talton, Enforcement Officer
Superfund Enforcement Assessment Section (6SF-TE)
U.S. EPA, Region 6
1445 Ross Avenue
Dallas, TX 75202-2733

If you or your attorney has legal questions that pertain to this information letter request, please contact Ms. I-Jung Chiang at phone number (214) 665-2160, fax number (214) 665-6460 or via email at Chiang.IJung@epa.gov. For contact via mail, use the following address:

Ms. I-Jung Chiang, Attorney
Office of Regional Counsel (6RC-S)
U.S. EPA Region 6
1445 Ross Avenue
Dallas, Texas 75202-2733

BACKGROUND INFORMATION

The SBA Shipyard Superfund Site (Site) is situated on approximately 98 acres of land located in a rural-industrial area, at 9040 Castex Landing Road, Jennings, Jefferson Davis Parish, Louisiana. The facility is located at the end of State Highway 3166 and adjacent to the west bank of the Mermentau River.

SBA Shipyards, Inc., (SBA) was incorporated in the state of Louisiana for the purpose of construction, repair, retrofitting and cleaning of barges. SBA operated a barge cleaning facility at the Site from 1965 to 1993. The facility is now inactive and abandoned.

The Site consists of an abandoned buried barge southeast of the property, adjacent to a wetland and the west bank of the Mermentau River. It is unknown whether the Site was used for industrial purposes prior to 1965. However, documents indicate that a portion of the Site could have possibly been used for grazing and agriculture prior to 1965.

Barges serviced at the Site typically held diesel, coal tar, crude oil, gasoline and asphalt. Wastes from the barge cleaning operations were managed in a waste management area that included four impoundments, a land treatment unit (LTU) and storage tanks. The wastes consisted of petroleum hydrocarbons which are the primary contaminants. The hydrocarbons were separated from the water into surface impoundments that were known as the Oil Pit, Water Pit 1, Water Pit 2 and Water Pit 3. Water was recycled to barge cleaning and some of the water was converted to steam for the cleaning operations.

Numerous attempts were made to bio-remediate and close the impoundments which began in 1989. In 1991 the bioremediation was determined to be unsuccessful. Land treatment of wastes continued through 1993.

On December 9, 2002, SSIC Remediation, L.L.C., (SSIC) entered into an Order and Agreement for Interim Measures/Removal Action (IM/RA) of Hazardous/Principal Threat Wastes at SBA Shipyards, Inc., pursuant to Resource Conservation Recovery Act (RCRA) Section 3008(h). Approximately 33.8 million pounds of oils, waxes and sludges, pumpable oily material and oily tank heels, 70 tons of contaminated debris and 88 tons of recyclable scrap steel were removed from the site.

As part of the IM/RA, the Oil Pit and wastes from the storage tanks were stabilized and solidified for off-site disposal. Approximately 750,000 gallons of uncontaminated pond water were pumped from the former Water Pit to the drainage ditch that drains to the Mermentau River. The emptied Water Pit was then used to receive treated storm water from the partially buried barge. Pumpable oil materials were removed and buried which was then used to store contaminated storm water prior to treatment and discharge to the emptied Water Pit.

In September 2012, the Louisiana Department of Environmental Quality (DEQ) referred the Site to EPA for potential removal/remedial action. On October 23 & 25, 2013, the United States Coast Guard responded to a release from on-site buried barges. In May 2013, EPA conducted a

Preliminary Assessment of the site and the final report which is dated June 3, 2013, confirmed the contamination of the site referenced above.

ENCLOSURE 2

SBA SHIPYARD SUPERFUND SITE JENNINGS, JEFFERSON DAVIS PARISH, LOUISIANA INFORMATION REQUEST

INSTRUCTIONS AND DEFINITIONS

1. Please provide a separate narrative response for each and every Question and subpart of a Question set forth in this Information Request.
2. Precede each answer with the Question (or subpart) and the number of the Question (and the letter of a subpart of a Question, if applicable) to which it corresponds.
3. If information or documents not known or not available to you as of the date of submission of a response to this Information Request should later become known or available to you, ***you must supplement*** your response to the U.S. Environmental Protection Agency (EPA). Moreover, should you find, at any time, after submission of your response, that any portion of the submitted information is false or misrepresents the truth, or, though correct when made, is no longer true, you must notify the EPA of this fact as soon as possible and provide the EPA with a corrected response.
4. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the Question (and the letter of a subpart of a Question, if applicable) to which it responds.
5. You may assert a business confidentiality claim covering part or all of the information which you submit in response to this request. Any such claim must be made by placing on (or attaching to) the information, at the time it is submitted to the EPA, a cover sheet or a stamped or typed legend or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Confidential portions of otherwise non-confidential documents should be clearly identified and may be submitted separately to facilitate identification and handling by the EPA. If you make such a claim, the information covered by that claim will be disclosed by the EPA only to the extent, and by means of the procedures, set forth in subpart B of 40 CFR Part 2. If no such claim accompanies the information when it is received by the EPA, it may be made available to the public by the EPA without further notice to you. The requirements of 40 CFR Part 2 regarding business confidentiality claims were published in the Federal Register on September 1, 1976, and were amended September 8, 1976, and December 18, 1985.
6. Personal Privacy Information. Personnel and medical files, and similar files the disclosure of which to the general public may constitute an invasion of privacy should be segregated from your responses, included on separate sheet(s), and marked as "Personal Privacy Information."

7. Objections to questions. If you have objections to some or all the questions within the Information Request Letter, you are still required to respond to each of the questions.

DEFINITIONS

The following definitions shall apply to the following words as they appear in this enclosure:

1. The terms "and" and "or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.
2. The term "any", as in "any documents" for example, shall mean "any and all."
3. The term "arrangement" means every separate contract or other agreement between two or more persons.
4. The term "**asset**" shall include the following: real estate, buildings or other improvements to real estate, equipment, vehicles, furniture, inventory, supplies, customer lists, accounts receivable, interest in insurance policies, interests in partnerships, corporations and unincorporated companies, securities, patents, stocks, bonds, and other tangible as well as intangible property.
5. The terms "document(s)" and "documentation" shall mean any object that records, stores, or presents information, and includes writings of any kind, formal or informal, whether or not wholly or partially in handwriting, including by way of illustration and not by way of limitation, any invoice, manifest, bill of lading, receipt, endorsement, check, bank draft, canceled check, deposit slip, withdrawal slip, order, correspondence, record book, minutes, memorandum of telephone and other conversations including meetings, agreements and the like, diary, calendar, desk pad, scrapbook, notebook, bulletin, circular, form, pamphlet, statement, journal, postcard, letter, telegram, telex, telecopy, telefax, report, notice, message, analysis, comparison, graph, chart, map, interoffice or intra office communications, photostat or other copy of any documents, microfilm or other film record, any photograph, sound recording on any type of device, any punch card, disc pack; any tape or other type of memory generally associated with computers and data processing (together with the programming instructions and other written material necessary to use such punch card, disc, or disc pack, tape or other type of memory and together with the printouts of such punch card, disc, or disc pack, tape or other type of memory); and (a) every copy of each document which is not an exact duplicate of a document which is produced, (b) every copy which has any writing, figure or notation, annotation or the like on it, (c) drafts, (d) attachments to or enclosures with any document and (e) every document referred to in any other document.

6. The term “**generator**” shall mean persons who arranged for the disposal or treatment of hazardous substances at the place (i.e., the SBA Shipyard Superfund Site) where the hazardous substances were released.
7. The term “**hazardous material**” shall mean any hazardous substances, pollutants or contaminants, and hazardous wastes, as defined below.
8. The term “**hazardous substance**” shall have the same definition as that contained in Subsection 101(14) of CERCLA, 42 U.S.C. § 9601(14), and includes any mixtures of such hazardous substances with any other substances.
9. The term “**hazardous waste**” shall have the same definition as that contained in Subsection 1004(5) of RCRA, 42 U.S.C. § 6903(5), and 40 CFR Part 261.
10. The term "identify" means, with respect to a natural person, to set forth the person's name, present or last known business and personal addresses, email address(es), and telephone numbers, and present or last known job title, position or business. Also provide e-mail addresses.
11. The term "identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including, but not limited to, a sole proprietorship), to set forth its full name, address, and legal form (e.g. corporation [including state of incorporation], partnership, etc.), organization, if any, a brief description of its business, and to indicate whether or not it is still in existence and, if it is no longer in existence, to explain how its existence was terminated and to indicate the date on which it ceased to exist. Also provide e-mail addresses.
12. The term "identify" means, with respect to a document, to provide the type of document, to provide its customary business description, its date, its number, if any (invoice or purchase order number), subject matter, the identity of the author, addressor, addressee and/or recipient, and the present location of such document.
13. The term “**material(s)**” shall mean any and all objects, goods, substances, or matter of any kind including, but not limited to, wastes.
14. The term “**operator**” shall mean those persons who once owned or operated the place (i.e., the SBA Shipyard Superfund Site) where hazardous substances were released during the time when the hazardous substances were disposed.
15. The term “**owner**” shall mean those persons who now own the place (i.e., the SBA Shipyard Superfund Site) where the hazardous substances were released.
16. The term "person" shall have the same definition as in Subsection 101 (21) of CERCLA, S.C. § 9601 (21).

17. The terms “**pollutant**” or “**contaminant**,” shall have the same definition as that contained in Subsection 101(33) of CERCLA, 42 U.S.C. § 9601(33), and includes any mixtures of such pollutants and contaminants with any other substances. The term shall include, but not be limited to, any element, substance, compound, or mixture. The term shall also include disease-causing agents which after release into the environment will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunction in reproduction), or physical deformations.
18. The term “**property interest**” shall mean any interest in property including, but not limited to, any ownership interest, an easement, a deed, a lease, a mining claim, any interest in the rental of property, any interest in a corporation that owns or rents or owned or rented property, and any interest as either the trustee or beneficiary of a trust that owns or rents, or owned or rented property.
19. The term “**real estate**” shall mean and include, but not be limited to, the following: land, buildings, homes, dwelling places, condominiums, cooperative apartments, offices or commercial buildings. The term includes real estate located outside of the United States.
20. The term “**release**” has the same definition as that contained in Subsection 101(22) of CERCLA, 42 U.S.C. § 9601(22), and includes any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment, including the abandonment or discharging of barrels, containers, and other closed receptacles containing any hazardous substance or pollutant or contaminant.
21. The term “**Site**” or “**Facility**” shall mean and include the SBA Shipyard Superfund Site located on the west bank of the Mermentau River at the end of Louisiana Highway 3166 approximately four miles southeast of Jennings, Louisiana and approximately two miles southwest of the Mermentau River. SBA is situated on approximately 98 acres of land located in a rural-industrial area, at 9040 Castex Landing Road, Jennings, Jefferson Davis Parish, Louisiana. The facility is within Section 19 of Range 2W, Township 10S. The facility was used to construct, repair and clean out barges and other marine vessel during the mid-1960’s to the early 1990’s. The contamination resulted predominantly from the clean-out of barges conducted by SBA for their customers.
22. The term “**solid waste**” shall have the same definition as that contained in Subsection 1004(27) of RCRA, 42 U.S.C. § 6903(27), and 40 CFR Part 261.
23. The terms “**transaction**” or “**transact**” shall mean any sale, transfer, giving, delivery, change in ownership, or change in possession.
24. The term “**transporter**” shall mean persons who selected the place (i.e., the SBA

Shipyards Superfund Site) where the hazardous substances were released as a disposal site and transported the hazardous substances to that place.

25. The term “you” or “your” or "Respondent" or "you" shall mean the addressee of this Request, including the addressee's officers, managers, employees, contractors, tastes, partner, successors and agents.
26. Words in the masculine shall be construed in the feminine, and vice versa, and words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular question or questions as necessary to bring within the scope of this Information Request any information which might otherwise be construed to be outside its scope.
27. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, RCRA, 40 CFR Part 300 or 40 CFR Parts 260-280, in which case the statutory or regulatory definitions shall apply.
28. All terms not defined herein shall have their ordinary meaning, unless such terms are defined in CERCLA, RCRA, 40 CFR Part 300 or 40 CFR Parts 260-280, in which case the statutory or regulatory definitions shall apply.

ENCLOSURE 3

**SBA SHIPYARD SUPERFUND SITE
JENNINGS, JEFFERSON PARISH, LOUISIANA**

INFORMATION REQUEST

QUESTIONS

General Information Concerning Respondent

Please state the full legal name and mailing address of the Respondent. In addition, for each person answering these questions on behalf of the Respondent, provide full name, title, business address, and business telephone and facsimile number. Please also provide contact information. Please identify (*see* Definitions) and provide copies of all documents (*see* Definitions) consulted, examined, or referred to in the preparation of the answers to the above questions including all subparts of each question, or that contain information responsive to the question. For each document copy produced in response to this request for documents, indicate on the document, or in some other reasonable manner, the question and subpart (*e.g.*, a, b, c, d, e, or f) of the question to which it corresponds.

REQUESTS FOR DOCUMENTS

Please identify (*see* Definitions) and provide copies of all documents (*see* Definitions) consulted, examined, or referred to in the preparation of the answers to the above questions including all subparts of each question, or that contain information responsive to the question. For each

General Information Concerning Respondent

1. Provide the full legal name and mailing address of the Respondent.
2. Identify and provide the full name, title, business address, and business telephone number for each person answering these questions on behalf of the Respondent, and each person(s) that was relied on or consulted with in the preparation of the answer.
3. If Respondent wishes to designate an individual for all future correspondence conceding this Site, including legal notices, please provide the individual's name, address, and telephone number.

Specific Information relating to Site Operations:

4. Have you ever in any way been involved with this Site?
 - a. Include a brief description of the nature, and the timeframe(s) of the Respondent's business relationships with SBA Shipyards, Inc.
5. Provide copies of all documents that would link Respondent to the Site.

6. Have you ever been involved with any legal action related to this Site?
 - a. If so, was the matter settled in open court or by a private settlement?
 - b. Provide copies of all documents created or kept by the Respondent of any legal action related to this Site.
7. If you have had any involvement with SBA Shipyard Superfund Site, please provide responses to the Generator and Transporter questions listed below.

GENERATOR QUESTIONS

Following are the Questions regarding the generation of waste at this Site you should answer as part of this Information Request. Please refer to the definitions for the words as they appear in this Information Request.

1. Identify all persons, including the Respondent, who may have arranged for disposal or treatment or arranged for transportation for disposal or treatment of materials, hazardous materials, hazardous substances, and hazardous wastes at or to the Site (or any transshipment site). Such persons shall hereinafter be referred to as "Generators." This information shall include, but not be limited to, the following:
 - a. The persons with whom the Generators made such arrangements including, but not limited to, those parties listed in Enclosure B (Parties Receiving Information Requests);
 - b. Every date on which each Generator made such arrangements;
 - c. The nature, including the chemical content, characteristics, physical state (e.g., solid or liquid) and quantity (volume and weight) of all hazardous materials involved in each such arrangement;
 - d. In general terms, the nature and quantity of the non-hazardous materials involved in each such arrangement;
 - e. The owner of the hazardous materials involved in each such arrangement;
 - f. All tests, analyses, analytical results, and manifests concerning each hazardous material involved in such transactions;
 - g. The precise locations at which each hazardous material involved in such transactions actually was disposed or treated;

- h. Who selected the location to which the hazardous materials were to be disposed or treated? This information shall include where these persons intended to have the hazardous materials involved in each arrangement treated or disposed and all evidence of their intent
 - i. Who selected the Site as the location at which hazardous materials were to be disposed or treated?
 - j. The amount paid in connection with each such arrangement, the method of payment, and the identity of the persons involved in each arrangement;
 - k. All intermediate sites to which the hazardous materials involved in each arrangement were transshipped, or at which they were stored or held at any time prior to final treatment or disposal;
 - l. What was done to the hazardous materials once they were brought to the Site?
 - m. The final disposition of each of the hazardous materials involved in each arrangement;
 - n. The measures taken by you to determine how and where treatment or disposal of the hazardous materials involved in each arrangement would actually take place; and
 - o. The markings, type, condition, and number of containers in which the hazardous materials were contained when they were stored, disposed, treated, or transported for disposal or treatment.
- 2. Provide names, addresses, and telephone numbers of any individuals (including current and former employees) who may be knowledgeable of the Site's operations and hazardous material handling, storage, and disposal practices.
 - 3. State the date(s) on which the barges/drums and/or hazardous substances were sent, brought, or moved to the Site and the names, addresses, and telephone numbers of the person(s) making arrangements for the drums to be sent, brought, or moved to the Site.
 - 4. Provide the correct name and addresses of the Respondent's plants and other buildings or structures where the Respondent carried out its operations (excluding locations where only clerical/office work was performed).
 - 5. Provide a schematic diagram or flow chart that fully describes and/or illustrates the Respondent's operations.

6. Provide a brief description of the nature of the Respondent's operations at each location. This information shall include, but not be limited to, the following:
 - a. The date such operations commenced and concluded; and
 - b. The types of work performed at each location including, but not limited to, the industrial, chemical, or institutional processes undertaken at each location.
7. If the nature or size of Respondent's operations changed over time, describe those changes and the dates they occurred.
8. List the types of raw materials used in the Respondent's operations and the products manufactured, recycled, recovered, treated, or otherwise processed in these operations.
9. Provide copies of the Material Safety Data Sheets for the materials used in the Respondent's operations.
10. Describe the cleaning and maintenance of the equipment and machinery involved in the Respondent's operations. This information shall include, but not limited to, the following:
 - a. The types of materials used to clean and maintain this equipment and machinery, and
 - b. The monthly or annual quantity of each such material used.
11. Describe the methods used to clean up spills of liquid or solid materials during the Respondent's operations. This information shall include, but not limited to, the following:
 - a. The types of materials spilled in the Respondent's operations,
 - b. The materials used to clean up those spills,
 - c. The methods used to clean up those spills, and
 - d. Where the materials used to clean up those spills were disposed of.
12. Prepare a "Waste List" which shows each substance present in the Respondent's wastes and by-products and provide any additional information for each such substance that would assist EPA in determining the type of compounds present in the waste and by-products.
13. Describe each type of waste and by-products from the Respondent's operations including

all liquids, sludge's, and solids. This information shall include, but not be limited to, the following:

- a. The physical state,
 - b. The nature and chemical composition,
 - c. The color,
 - d. The odor,
 - e. The approximate monthly and annual volumes of each type of waste (using such measurements as gallons, cubic yards, and pounds, etc.), and
 - f. The beginning and ending dates during which each type of waste was produced by Respondent's operations.
14. Provide a schematic diagram that indicates which part of the Respondent's operations generated each type of waste including wastes generated by cleaning and maintenance of equipment and machinery and wastes resulting from spills of liquid materials.
15. Describe how each type of waste was collected and stored at the Respondent's operation prior to disposal, recycling, sale, and transport. This information shall include, but not be limited to, the following:
- a. The type of container in which each type of waste was placed or stored, and
 - b. Where each type of waste was collected or stored.
16. Identify all of the individuals who currently have and those who have had responsibility for the Respondent's environmental matters (e.g., responsibility for the disposal, treatment, storage, recycling, or sale of the Respondent's wastes). This information shall include, but not be limited to, the following:
- a. Each individual's job title and duties (including the dates performing those duties),
 - b. The supervisors for such duties,
 - c. The current position or the date of the individual's resignation, and
 - d. The nature of the information possessed by such individuals concerning the Respondent's waste management.

17. Describe the containers used to ship or transport each type of waste from the Respondent's operation. This information shall include, but not be limited to, the following:
 - a. The type of container (e.g., 55-gallon drum or dumpster, etc.);
 - b. The colors of the containers;
 - c. Any distinctive stripes or other markings on these containers;
 - d. Any labels or writing on these containers including the content of these labels;
 - e. Whether these containers were new or used. If used, provide a description of the prior use of these containers.
18. For each type of waste, describe the Respondent's contracts, agreements, or other arrangements for the waste's disposal, treatment, or recycling. This information shall include, but not be limited to, the following:
 - a. Provide copies of such contracts and other documents reflecting such agreements or arrangements;
 - b. State where the Respondent sent each type of its waste for disposal, treatment, or recycling;
 - c. Identify all entities and individuals who picked up waste from the Respondent or who otherwise transported the waste away from the Respondent's operations. These companies and individuals shall hereinafter be referred to as "waste carriers;"
 - d. State if the Respondent transported any of its wastes away from its operations;
 - e. For each type of waste, specify which waste carrier picked up the waste;
 - f. For each type of waste, state how frequently each waste carrier picked up such waste;
 - g. For each type of waste, state the volume picked up by each waste carrier including the frequency (e.g., in terms of either weeks, months, or years);
 - h. For each type of waste state the beginning and ending dates such waste was picked up by each waste carrier;
 - i. Provide copies of all documents containing information responsive to Questions

b-h of this Subpart of the Information Request;

- j. Describe the vehicles used by each waste carrier to haul or transport each type of waste away from the Respondent's operations. This information shall include, but not be limited to, the following:
 - a. The type of vehicle (e.g., barge, flatbed truck, tanker truck, containerized dumpster truck, etc.);
 - b. The names or markings on the vehicles; and
 - c. The color of such vehicles.
- k. Identify all of each waste carrier's employees who collected the Respondent's wastes;
- l. Indicate the ultimate disposal, recycling, and treatment location for each type of waste and provide all documents indicating these locations for each type of waste;
- m. Describe how the Respondent managed pickups of each type of waste. This information shall include, but not be limited to, the following:
 - 1. The method for performing inventory for each type of waste,
 - 2. The method for requesting each type of waste to be picked up,
 - 3. The identity of the waste carrier's employee or agent contacted for pickup of each type of waste,
 - 4. The amount paid or the rate paid for the pickup of each type of waste,
 - 5. The identity of the Respondent's employee(s) who paid the bills, and
 - 6. The identity of the individual(s) and company to whom the Respondent sent the payment for the pickup of each type of waste.
- n. Identify the individual or organization, including the Respondent and waste carrier, who selected the location where each of the Respondent's wastes were taken. State the basis for and provide any documents supporting the answer to this question;
- o. Describe all wastes disposed by the Respondent into the Respondent's drains.

This information shall include, but not be limited to, the following:

1. The nature and chemical composition of each type of waste;
 2. The dates on which these wastes were disposed;
 3. The approximate quantity of these wastes disposed and the frequency (e.g., by month and year);
 4. The location to which these wastes drained (e.g., on-site septic system, on-site storage tank, pretreatment plant, publicly owned treatment works, etc.); and
 5. Whether and what pretreatment was provided.
- p. Identify any sewage authority or treatment works to which the Respondent's waste was sent;
- q. Identify the types of wastes for all settling tank, septic system, or pretreatment system sludge's or other treatment wastes resulting from the Respondent's operations; and
- r. If not already provided, specify the dates and circumstances when the Respondent's waste was taken to the Site and identify the companies or individuals who brought the Respondent's waste to the Site. Provide all documents which support or memorialize your response.
19. List all federal, state, and local permits and/or registrations issued to the Respondent's company for the transport and/or disposal of materials, including their respective permit numbers.
20. Were all hazardous wastes transported by licensed carriers to hazardous waste treatment, storage, or disposal facilities permitted by EPA or the State?
21. Does the Respondent's company or business have a permit(s) issued under RCRA? If so, provide a copy(ies) of the permit(s).
22. Provide all Resource Conservation and Recovery Act (RCRA) Identification Numbers issued to Respondent by EPA or a state for Respondent's operations.
23. Does the Respondent's company or business have, or has it ever had, a permit(s) under the hazardous waste laws of the State? If so, provide a copy(ies) of the permit(s).
24. Does the Respondent's company or business have an EPA Identification Number, or an

identification number supplied by the State? If so, supply any such identification number(s).

25. Identify whether a Notification of Hazardous Waste Activity was ever filed with the EPA or the corresponding agency or official of the State. This information shall include, but not be limited to, the following:
 - a. The date of such filing,
 - b. The wastes described in such notice,
 - c. The quantity of the wastes described in such notice, and
 - d. The identification number assigned to such facility by EPA or the State.
26. Identify all federal, state, and local offices and agencies to which the Respondent has sent or filed hazardous substance or hazardous waste information and state the years during which such information was sent or filed.
27. List all federal and state environmental laws and regulations under which the Respondent has reported to federal and state governments and identify the federal and state offices to which such information was sent. This information shall include, but not be limited to, the following:
 - a. The Toxic Substances Control Act, 15 U.S.C. Sections 2601 et seq.;
 - b. The Emergency Planning and Community Right-to-Know Act, 42 U.S.C. Sections 1101 et seq.; and
 - c. The Clean Water Act (the Water Pollution Prevention and Control Act), 33 U.S.C. Sections 1251 et seq.

TRANSPORTER QUESTIONS

Following are the Questions regarding the transportation of waste at this Site that you should provide a response to as part of this Information Request. Please refer to the definitions for the words as they appear in this Information Request.

1. Identify all persons, including the Respondent, who may have transported materials, hazardous materials, hazardous substances, and hazardous wastes to the Site. Such persons shall hereinafter be referred to as the Respondent or "Transporters."
2. For each such Transporter identified in Question 1 of this Subpart of this Information

Request, state whether it accepted materials, including municipal solid waste from a municipality or arranged with a municipality by contract or otherwise to accept materials from any source. If so, describe the nature, quantity, and source of all materials accepted and transported to the Site.

3. Describe the Respondent's company. This information shall include, but not be limited to, the following:
 - a. State the correct legal name;
 - b. State the name(s) and address(es) of the President, Chairman of the Board, and any other presiding officer;
 - c. Identify the State of Incorporation and the agents for service of process in the State of Incorporation and in Texas; and
 - d. If the Respondent's company is a subsidiary or affiliate of another corporation, or has subsidiaries, identify these related companies. Include the State of Incorporation and agents for service of process in the State of Incorporation and in Texas.
4. State the names, telephone numbers, and present or last known addresses of all individuals who the Respondent has reason to believe may have knowledge, information, or documents regarding any transportation of materials to the Site, the disposal of materials at the Site, or the identities of the companies whose material was disposed of at the Site. For each individual identified, summarize the types of knowledge, information, or documents you believe these individuals may have.
5. State whether there exists any agreement or contract (other than an insurance policy) which may indemnify the Respondent's (i.e., Transporter's) company, and present and past owners of shares in the company, for any liability that may result under CERCLA for any release of a hazardous substance from the Site. This information shall include, but not be limited to, the following:
 - a. Provide a copy of such agreements or contracts;
 - b. Identify any agreement or contract that you are unable to locate or obtain and describe the relevant information contained therein; and
 - c. Identify by name and job title the person who prepared the document. If the document is not readily available, state where it is stored or maintained and why it is no longer available.

6. State whether an insurance policy has ever been in effect which may indemnify the Respondent's company against any liability which the company may have under CERCLA for any release or threatened release of a hazardous substance at the Site. This information shall include, but not be limited to, the following:
 - a. Provide a copy of the policy; and
 - b. Identify any policy that you cannot locate or obtain by the name of the carrier, years in effect, nature and extent of coverage, and any other information you may have.
7. Provide copies of all federal and state income tax returns filed by the Respondent's company since its inception.
8. Provide copies of financial statements, reports, or projections prepared by, for, or on behalf of the Respondent's company during the past five years. This information shall include, but not be limited to, all those filed with the Securities and Exchange Commission, state agencies, and all financial institutions such as banks.
9. Identify all persons and entities from whom the Respondent (i.e., Transporter) accepted materials, hazardous materials, hazardous substances, and wastes which were taken directly or indirectly to the Site.
10. Identify the owners of the materials that were accepted for transportation by the Respondent.
11. Identify the person who selected the Site as the location to which the Respondent took the materials to the Site.
12. Describe the measures taken by the persons who gave the materials to the Respondent to determine what the Respondent would actually do with the materials they accepted.
13. For each material transported, describe any warnings given to the Respondent with respect to its handling.
14. Identify all the Sites at which the materials were transhipped through or were stored or held prior to their final treatment or disposal.
15. State the amount paid to the Respondent for accepting the materials for transportation and indicate the method of payment. Identify the person who paid the Respondent.
16. Provide representative copies of the Respondent's customer lists, accounts receivables lists, or route slips that were used that show the names of the customers.

17. Describe each customers' materials taken to the Site. This information shall include, but not be limited to, the following:
 - a. The volume,
 - b. The nature,
 - c. The chemical composition,
 - d. The color,
 - e. The smell,
 - f. The physical state (e.g., solid or liquid) and any any other distinctive characteristics, and
 - g. The years during which each customers' materials were taken to the Site.
18. Provide copies of all tests, analyses, and analytical results concerning each material the Respondent took to the Site. If you do not have documents responsive to this question but believe others do, identify who might have such documents and the basis for such a belief.
19. Describe the containers that the Respondent picked up from each customer and took to the Site, including containers (if any) that the Respondent provided to the customers for such use. This information shall include, but not be limited to, the following:
 - a. The type of container (e.g., barge, 55-gallon metal or cardboard drum, etc.);
 - b. The condition of the container (e.g., whether opened, closed, sealed, damaged, new, or used, etc.);
 - c. The color of the container; and
 - d. Describe any distinctive stripes or other markings and any labels or writing on these containers. Include the content of those labels or writing.
20. Provide copies of all documents created or kept by the Respondent related to the collection of materials from customers whose materials were taken to the Site. This information shall include, but not be limited to, the following:
 - a. Log books, dump slips, manifests, receipts, and invoices of any kind; and
 - b. The composition and quantity of these materials.

21. Provide copies of all documents created or kept by the Respondent related to the nature, quantity, or source of the materials taken to the Site.
22. Provide all records created or kept by the Respondent concerning the nature or quantity of materials collected from the Respondent's customers and taken to the Site.
23. Identify all of the Respondent's current or former employees who may have taken or accompanied materials to the Site. Describe each such employee's responsibilities. This information shall include, but not be limited to, the following:
 - a. The dates of employment,
 - b. The nature of the position to which each employee was assigned,
 - c. The customers each employee served,
 - d. The locations to which each employee took or accompanied materials, and
 - e. The routes which each employee followed.
24. Identify the Respondent's office manager and the bookkeeper or other employee who handled the company's checkbook and accounts receivables.
25. Describe the Respondent's vehicles that were used to transport materials to the Site. This information shall include, but not be limited to, the following:
 - a. The type of vehicles (e.g., barge, tanker, or flatbed, etc.);
 - b. The color(s);
 - c. The distinctive markings (e.g., company names or logos); and
 - d. The number(s) of each type of vehicle.
26. Describe what was done to each type of material after it was taken to the Site by the Respondent. This information shall include, but not be limited to, the following:
 - a. Describe where each type of material brought to the Site was disposed or otherwise placed.
 - b. If particular types of materials were placed or disposed of in separate or specific areas of the Site, provide the following information:
 1. The types of materials so placed or disposed,

2. Where on the Site these materials were placed or disposed, and
 3. How those materials were placed or disposed.
- c. If particular customers' materials were placed or disposed in separate or specific areas of the Site, provide the following information:
1. The identity of each such customer,
 2. The nature and chemical composition of each such customer's type of material,
 3. The quantity of each such customer's material, and
 4. Where on the Site each such customer's material was so placed or disposed.
- d. If barges and/or drums were placed or disposed at the Site, provide the following information:
1. Where they were placed or disposed, and
 2. Their condition when placed or disposed.
- e. If liquids were placed or disposed at the Site, indicate whether and how the liquids were:
1. Mixed at the Site,
 2. Placed or disposed in separate areas, and
 3. Placed or disposed in their containers or removed from their containers.
- f. Describe all procedures undertaken by the Respondent and the owner/operator of the Site upon the Respondent's arrival/entry to the Site. This information shall include, but not be limited to, the following:
1. The completion of any documentation of disposal or placement at the Site,
 2. Any exchange of cash or checks, and
 3. Any review of permits or other authorities to dispose or place the materials at the Site.

- g. Describe the Respondent's procedures for paying for the disposal or placement of materials at the Site. This information shall include, but not be limited to, the following:
 - 1. The method of payment (e.g., cash, check, or money order);
 - 2. The frequency at which these payments were made;
 - 3. To whom these payments were made;
 - 4. The total amount of these payments and the rates paid;
 - 5. Where these payments were made (e.g., at the Site or by mail, etc.); and
 - 6. Provide the identity of the Respondent's employee/agent in charge of accounting for and making such payments.
 - h. Identify other individuals and entities that the Respondent has reason to believe may have taken or sent materials to the Site. Of these individuals and entities, specify which were observed by the Respondent at the Site and indicate when those observations were made. Provide all of the information known by the Respondent regarding the customers of these entities or individuals.
27. If the Respondent did not bring all materials directly from its customers to the Site, provide the following information:
- a. Identify all of the locations through which such materials were transshipped, or stored, or held prior to their final treatment or disposal;
 - b. Provide a description of the nature of operations at such other locations;
 - c. Identify the individuals and entities who operated such other locations;
 - d. Provide a description of the kinds and quantities of materials taken to these locations;
 - e. Provide a description of the process(es) the materials were subjected to at each such location (e.g., storage, consolidation, or treatment, etc.); and
 - f. Provide a description of how long the wastes remained at each such location before being taken to the Site.
28. List all federal, state, and local permits and/or registrations issued to the Respondent for

the transport and/or disposal of materials.

29. Please state the name, title, and address of each individual who assisted or was consulted in the preparation of the responses to this Information Request.

ENCLOSURE B
PARTIES RECEIVING INFORMATION REQUESTS
SBA SHIPYARDS SUPERFUND SITE
JENNINGS JEFFERSON DAVIS PARISH, LOUISIANA